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EXAMINER

NGUYEN, DUSTIN

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 03/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/733,859

Applicant(s)

LIN, CHING-FANG

Examiner

Dustin Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 08 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-24 and 26-63 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 and 26-63 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. Claims 1-24 and 26-63 are presented for examination.

#### *Claim Objections*

2. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Claim 25 is missing.

Appropriate correction is required.

#### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-7, 10, 16, 18, 20, 21, 22, 24, 26, 28, 29, 31, 32, 37-48, 51-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tognazzini [ US Patent No 5,907,293 ] [ hereinafter '293 patent ], in view of Tognazzini [ US Patent No 5,872,526 ] [ hereinafter '526 patent ].

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5. As per claim 1, '293 patent discloses the invention substantially as claimed including a multi-tracking method, comprising the steps of

(a) providing a plurality of portable multi-tracking units [ Abstract, lines 1-6 ], wherein one of said portable multi-tracking units acts as a host unit [ i.e. radar device ] [ col 3, lines 24-37; and col 6, lines 45-49 ] while the other portable multi-tracking units act as client units [ col 3, lines 4-15 ];

(b) providing host position data of said host unit by a positioning unit of said host unit [ col 6, lines 38-49 ];

(c) receiving client position data of said client units [ col 3, lines 56-61 ] through a wireless communication public network [ i.e. radio communication ] [ col 3, lines 38-44 ], so as to provide said host unit with client locations of said client units [ Abstract ]; and

(d) sending said host position data via said wireless communication public network [ col 7, lines 55-65 ], so as to provide said other client units with a host location of said host unit [ Abstract ].

'293 patent does not specifically disclose

a client identification of said client units and a host identification of said host unit.

'526 patent discloses

a client identification of said client units and a host identification of said host unit [ 1010, Figure 3; and col 7, lines 6-13 ].

It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of '293 patent and '526 patent because the teaching of '526 patent would allow directly identify any units to provide a better user's interface.

6. As per claim 2, '293 patent discloses displaying said map on a displaying unit of each of said portable multi-tracking units [ Abstract; and col 3, lines 61-64 ]. '293 patent does not specifically disclose retrieving map data from a map database stored in a storage device of each of said portable multi-tracking units to provide a map. '526 patent discloses retrieving map data from a map database stored in a storage device of each of said portable multi-tracking units to provide a map [ col 8, lines 52-60 ]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of '293 patent and '526 patent because '526 patent's teaching of database stored in a storage device would allow to reduce communication traffic.

7. As per claim 3, '293 patent discloses processing said host position data to achieve said host location and displaying said host location of said host unit on said map on said displaying unit of said host unit [ col 9, lines 19-28 ].

8. As per claim 4, '293 patent discloses decoding said client locations received from said client units to achieve said client locations thereof and displaying said client locations of said client units on said map on said displaying unit of said host unit [ Abstract; and col 3, lines 4-15 ].

9. As per claim 5, '293 patent discloses decoding said host location received from

said host unit to achieve said host location by each of said client unit and displaying said host location of said host unit on said map on said displaying unit of each of said client units [ i.e. convert ] [ col 3, lines 16-24 ].

10. As per claim 6, '293 patent discloses a wireless communication module adapted to create and maintain a communication link between said host unit and said client units [ 119, 120, Figure 1 ].

11. As per claim 7, '293 patent discloses collecting voice data from a microphone of each of said host and client units [ col 6, lines 27-37 ]; encoding said voice data by a system processor of each of said host and client units [ col 1, lines 65-67; and col 7, lines 32-34 ]; sending said encoded voice data through said wireless communication module of said host unit to said client units so as to enable each of said client units to access said encoded voice data of said host unit [ i.e. transmitter ] [ col 7, lines 34-37; and col 8, lines 37-47 ]; receiving said encoded voice data from said wireless communication module of each of said client hosts; decoding said voice data by said system processor of said host unit [ i.e. receiver ] [ col 7, lines 53-65 ]; and sending said decoded voice data to a speaker of said host unit so that a host user of said host unit is capable of hearing hear what said client users are talking [ col 6, lines 27-37 ].

12. As per claim 10, '293 patent discloses positioning unit is a GPS receiver [ 110, Figure 1 ].

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13. As per claim 16, '293 patent does not specifically disclose a three dimensional vector of (x, y, z) coordinates in an Earth-Centered-Earth-Fixed (ECEF) coordinate system. '526 patent discloses a three dimensional vector of (x, y, z) coordinates in an Earth-Centered-Earth-Fixed (ECEF) coordinate system [ col 1, lines 33-48 ]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of '293 patent and '526 patent because it would provide a more precise location to identify any units.

14. As per claim 18, '526 patent discloses latitude, longitude and altitude coordinates in a Geodetic coordinate system [ col 8, lines 3-34 ].

15. As per claim 20, '293 patent discloses a step of receiving user commands from an input device [ col 8, lines 39-41 ].

16. As per claim 21, '293 patent discloses viewing a map, displaying said locations of said client units relative to said host, sending messages, scheduling trip, activating autonomous navigation functionality, and locating an address [ col 1, lines 36-44; and col 3, lines 4-15 ].

17. As per claim 22, '293 patent discloses wireless communication module of each of said host unit and client units further receives client identifications and inquiring commands [ i.e. broadcast ] [ Abstract; and col 3, lines 4-15 ].

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18. As per claim 24, '293 patent discloses a step of selecting one or more specific client users from said client users by choosing said client identifications of said specific client users to view said client location of said specific client user [ col 8, lines 37-57 ].

19. As per claim 26, it is rejected for similar reasons as stated above in claim 24.

20. As per claim 28, '293 patent discloses a step of disabling an accessibility of said client location of one or more of said client units [ i.e. optional ] [ col 7, lines 55-65 ].

21. As per claim 29, it is rejected for similar reasons as stated above in claim 28.

22. As per claim 31, '293 patent does not specifically disclose a predetermined number of said portable multi-tracking units is grouped to form a user group, wherein said host unit is selected as a group server and said client units are group members, wherein said host unit receives said client locations of said client units and broadcasts said client locations to said client units respectively, while each of said client units only receives said host location from said host unit but does not receive said client locations of said other client units directly, wherein each of said client units receives client locations of said other client units from said host unit. '526 patent discloses a predetermined number of said portable multi-tracking units is grouped to form a user group, wherein said host unit is selected as a group server and said client units are group members, wherein said host unit receives said client locations of said client units and broadcasts said client locations to said client units respectively, while each of said client

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units only receives said host location from said host unit but does not receive said client locations of said other client units directly, wherein each of said client units receives client locations of said other client units from said host unit [ col 2, lines 60-col 3, lines 4 ]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of '293 patent and '526 patent because '526 patent's teaching of grouping would allow provide tracking for units that are in ranch of each other for a better communication.

23. As per claim 32, it is rejected for similar reasons as stated above in claims 31.

24. As per claim 37, it is rejected for similar reasons as stated above in claims 1-3.

Furthermore, '293 patent discloses a system processor [ 100, Figure 1 ]; a position unit, which is connected to said system processor, providing current host position data of said portable multi-tracking system, wherein said position data includes position, velocity, and heading of said portable multi-tracking system [ 110, Figure 1; and col 3, lines 11-15 ]; a storage device, which is connected to said system processor [ 132-134, 140, 145, Figure 1 ]; a wireless communication module, which is connected with said system processor [ 120, Figure 1 ]; and a display device, which is connected to said system processor [ 130, Figure 1 ].

25. As per claim 38, '293 patent discloses wireless communication module is also arranged for broadcasting said client position data received from said client portable multi-tracking systems [ Abstract ].

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26. As per claim 39, '293 patent discloses an input device, which is connected to said system processor and acts as an interface for a user to intervene in a system operation of said portable multi-tracking system for inputting said user commands and said interim data [ col 6, lines 4-9 and lines 22-26 ].

27. As per claim 40, it is rejected for similar reasons as stated above in claim 39.

28. As per claim 41, '293 patent discloses input device is a keyboard [ col 6, lines 4-9 ].

29. As per claim 42, '293 patent discloses input device is a software keyboard coupled with a character recognition system [ col 8, lines 51-58 ].

30. As per claim 43, '293 patent discloses input device is a touch screen coupled with corresponding software to identify said user commands [ col 2, lines 56-57 ].

31. As per claim 44, '293 patent discloses input device is a microphone coupled with a voice recognition system to receive said user commands [ col 6, lines 22-26 ].

32. As per claim 45, '293 patent discloses system processor is a central processing unit coupled with predetermined interfaces to said display device, said input device, said storage device, said positioning unit, and said wireless communication module, and is responsible for

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processing sensor positioning data, display processing, input response, remote data or command processing, sending messages, and device control and management [ col 5, lines 23-33 ].

33. As per claim 46, '293 patent discloses wireless communication module is used to process wireless communication protocol, wireless signal detection, received data conversion, signal data amplification, modulating a digital signal to be transmitted into an analogue signal, and demodulating an analogue signal into a digital signal [ col 6, lines 27-37 ].

34. As per claim 47, '293 patent discloses wireless communication module further comprises an antenna for converting an analogue signal into a radiative signal and converting a detected radiative signal from each of said client portable multi-tracking systems into an analogue signal which is suitable for said wireless communication module to process [ Figures 2 and 3; and col 6, lines 27-37 ].

35. As per claim 48, it is rejected for similar reasons as stated above in claim 10.

36. As per claim 51, '293 patent discloses positioning unit is a land/water vehicle navigator which generates position data [ Figure 2; and col 6, lines 10-26 ].

37. As per claims 52 and 53, they are rejected for similar reasons as stated above in claims 7 and 44.

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38. As per claims 54 and 55, '293 patent discloses a speaker, which is connected to said system processor, wherein when said wireless communication module receives said encoded digital sound data through said wireless communication public network and sends said encoded digital sound data to said system processor, wherein said system processor decodes said encoded digital sound data and sends said encoded digital sound data to said speaker, which converts said digital sound data to analogue signal and then said analogue signal is converted to sound wave [ col 6, lines 20-37 ].

39. Claims 8, 9, 11, 17, 19, 23, 27, 30, 33, 56-63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tognazzini [ US Patent No 5,907,293 ] [ hereinafter '293 patent ], in view of Tognazzini [ US Patent No 5,872,526 ] [ hereinafter '526 patent ], and further in view of Lemelson et al. [ US Patent No 5,963,161 ].

40. As per claim 8, '293 patent and '526 patent do not specifically disclose collecting video image from a video camera of each of said host and client units; encoding said video image by a system processor of each of said host and client units; sending said encoded video image through said wireless communication module of said host unit to said client units so as to enable each of said client units to access said image data of said host unit; receiving said encoded video image from said wireless communication module of each of said client hosts; decoding said video image by said system processor of said host unit; and sending said decoded video image

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to said displaying unit so that a host user of said host unit is capable of viewing what said client users are doing. Lemelson discloses collecting video image from a video camera of each of said host and client units; encoding said video image by a system processor of each of said host and client units; sending said encoded video image through said wireless communication module of said host unit to said client units so as to enable each of said client units to access said image data of said host unit; receiving said encoded video image from said wireless communication module of each of said client hosts; decoding said video image by said system processor of said host unit; and sending said decoded video image to said displaying unit so that a host user of said host unit is capable of viewing what said client users are doing [ col 22, lines 21-col 23, lines 28 ]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of '293 patent, '526 patent and Lemelson because Lemelson's teaching of video would provide a real time communication for devices.

41. As per claim 9, it is rejected for similar reasons as stated above in claim 8.

42. As per claim 11, it is rejected for similar reason as stated above in claim 10.

43. As per claim 17, it is rejected for similar reason as stated above in claim 16.

44. As per claim 19, it is rejected for similar reasons as stated above in claim 18.

45. As per claim 23, it is rejected for similar reasons as stated above in claim 22.

46. As per claim 27, it is rejected for similar reasons as stated above in claim 24.
47. As per claim 30, it is rejected for similar reasons as stated above in claim 28.
48. As per claim 33, it is rejected for similar reasons as stated above in claim 30.
49. As per claims 56-58, they are rejected for similar reasons as stated above in claim 8.
50. As per claim 59, '293 patent and '526 patent do not specifically disclose  
a user interface module, which is an entry for enabling or disabling a plurality of  
functions of said portable multi-tracking system, including wireless communication, multi-  
tracking, autonomous navigation, displaying map, locating an address, and scheduling a trip; a  
trip scheduler module for planning and scheduling a trip, including defining a start point,  
interim points, and an end point, and logging information including visiting time, appointments,  
contact persons, and comments; a street locator module for displaying said map data on said  
display device and searching a designated place; a map viewer module for displaying said host  
and client position data and enabling a predetermined area of said map to zoom in and; an  
autonomous navigator module for outputting said host position data of said portable multi-  
tracking system; a communication controller module for receiving said host position data of  
said portable multi-tracking system and combining said host position data with said host  
identification which are sent to said wireless communication module, wherein said

communication controller module also receives information from said client portable multi-tracking systems; and a wireless tracking module for receiving said information of said client portable multi-tracking systems sent from said communication controller module for retrieving said client identifications and said client position data which are then send to said map viewer module, wherein said map viewer module displays said client locations of said client portable multi-tracking systems on said map.

Lemelson discloses

a user interface module, which is an entry for enabling or disabling a plurality of functions of said portable multi-tracking system, including wireless communication, multi-tracking, autonomous navigation, displaying map, locating an address, and scheduling a trip; a trip scheduler module for planning and scheduling a trip, including defining a start point, interim points, and an end point, and logging information including visiting time, appointments, contact persons, and comments; a street locator module for displaying said map data on said display device and searching a designated place; a map viewer module for displaying said host and client position data and enabling a predetermined area of said map to zoom in and; an autonomous navigator module for outputting said host position data of said portable multi-tracking system; a communication controller module for receiving said host position data of said portable multi-tracking system and combining said host position data with said host identification which are sent to said wireless communication module, wherein said communication controller module also receives information from said client portable multi-tracking systems; and a wireless tracking module for receiving said information of said client portable multi-tracking systems sent from said communication controller module for retrieving

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said client identifications and said client position data which are then send to said map viewer module, wherein said map viewer module displays said client locations of said client portable multi-tracking systems on said map [ col 31, lines 51-col 32, lines 15 ]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of '293 patent, '526 patent and Lemelson because Lemelson's teaching of user interface module would provide a convenience method for user's to access the necessary information.

51. As per claim 60, '293 discloses wireless tracker module further updates said tracking status of said client portable multi-tracking systems of interest at a constant period, alerts when losing track of a specific one of said client portable multi-tracking systems of interest, and alerts for potential collision between said portable multi-tracking system and any of said client portable multi-tracking systems when said multi-tracking system and said client portable multi-tracking systems are carried in aircrafts [ i.e. interval ] [ col 8, lines 59-col 9, lines 8 ].

52. As per claim 61, Lemelson discloses autonomous navigator module further tracks and navigates wherever said portable multi-tracking system goes, shows a real-time speed and direction of said portable multi-tracking system, illustrates no-map areas including mountains, lakes, and rivers, gives a warning message when said portable multi-tracking system is brought to travel in a wrong way, allows a two or more points routing, provides street-to-street directions, shows time and distance to destination, and programs avoidable areas [ Abstract; and col 1, lines 12-50 ].

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53. As per claim 62, Lemelson discloses user interface provides an entry for user to select operations including position tracking, voice tracking, and video tracking [ Abstract; and col 3, lines 34-63 ].

54. As per claim 63, '293 patent discloses wireless communication module comprises a multi-tracking mechanism which includes a start module, an initialization module, a data reception module, a data processing module, a data transmission module, a program termination module, and an end module, wherein said data reception module comprises a position producer data reception module, a communication data reception module and a user input data reception module which are executed in a synchronous fashion and communicate with each other; wherein said position producer data reception module further comprises a synchronous module, a port data reading module, and a communication module, wherein said synchronous module is designed to wait for an event that shows that a new position data is ready without wasting for system processing time; wherein said communication data reception module further comprises a synchronous event module, a communication port data reading module, a data verification module, an error checking and recovering module, a data transfer module, a send module, and a request module with a remote device, wherein said data transfer module is a type of synchronous module that communicates with a remote data processing module; wherein said user input data reception module further comprises a synchronous module, a port data reading module, and a communication module, wherein said synchronous module is designed to wait for an event that shows that said new position data is ready without wasting said processing time of said system processor unit to search said port continuously; wherein said data

processing module further comprises a position sensor data processing module, a communication data processing module, and a user input data processing module; wherein said data transmission module further comprises a synchronous sending request module, a communication port status checking module, a communication command generation module, a communication command sending module, a remote device checking module, a synchronous module to write data to be sent to said output data buffer, and a data sending module [ Figures 3 and 4 ].

55. Claims 12-15, 49, 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tognazzini [ US Patent No 5,907,293 ] [ hereinafter '293 patent ], in view of Tognazzini [ US Patent No 5,872,526 ] [ hereinafter '526 patent ], and further in view of Kain et al. [ US Patent No 5,894,323 ].

56. As per claim 12, '293 patent and '526 patent do not specifically disclose an IMU positioning device. Kain discloses an IMU positioning device [ Abstract ]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of '293 patent, '526 patent and Kain because Kain's teaching of IMU would provide IMU data representative of attitude of the sensor and to control the sensing direction of the sensor as the vehicle moves [ Kain, col 3, lines 3-8 ]

57. As per claim 13, it is rejected for similar reason as stated above in claim 12.

58. As per claim 14, '293 patent and '526 patent do not specifically disclose an integrated GPS/IMU device. Kain discloses an integrated GPS/IMU device [ Abstract; and col 3, lines 27-35 ]. It would have been to a person skill in the art at the time the invention was made to combine the teaching of '293 patent, '526 patent and Kain because Kain's teaching of integrated GPS/IMU devices would provide a precise location on any terrains.

59. As per claim 15, it is rejected for similar reasons as stated above in claim 14.

60. As per claims 49 and 50, they are rejected for similar reasons as stated above in claims 12 and 14.

61. Claims 34 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tognazzini [ US Patent No 5,907,293 ] [ hereinafter '293 patent ], in view of Tognazzini [ US Patent No 5,872,526 ] [ hereinafter '526 patent ], Raith [ US Patent No 6,385,461 ].

62. As per claim 34, '293 patent and '526 patent do not disclose more than one user groups are presented and said group servers exchange said host and client locations thereof with each other through said wireless communication public network. Raith discloses more than one user groups are presented and said group servers exchange said host and client locations thereof with each other through said wireless

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communication public network [ col 3, lines 55-58; and col 10, lines 2-4 ]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of '293 patent, '526 patent and Raith because Raith's teaching of user groups would improve system management and better maintenance of communication between devices.

63. As per claims 35 and 36, they are rejected for similar reasons as stated above in claim 34.

64. A shortened statutory period for response to this action is set to expire **3 (three) months and 0 (zero) days** from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the application (see 35 U.S.C 133, M.P.E.P 710.02, 710.02(b)).


### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dustin Nguyen whose telephone number is (703) 305-5321. The examiner can normally be reached on Monday – Friday (8:00 – 5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (703) 305-8498.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directly to the receptionist whose telephone number is (703) 305-3900.

Dustin Nguyen

  
**ZARNI MAUNG**  
**PRIMARY EXAMINER**